

Application No.: 10/606911

Case No.: 55313US010

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Claims 1 to 26 are pending. Claims 1 to 11 have been withdrawn from consideration. Claims 12 and 13 are amended. No claims have been added.

§ 103 Rejections

Claims 12-14, 16, and 17 stand rejected under 35 USC § 103(a) as being unpatentable over Olsen (US 5,916,399) in view of Orensteen (US 5,706,133). Claim 15 stands as objected to for being dependent upon a rejected base claim. Claims 18-26 are allowed.

Applicants acknowledge the potential allowability of claim 15 and the allowance of claims 18-26. Applicants submit that, for the following reasons, the rejection of claims 12-14, 16 and 17 should be withdrawn and claims 12-17 allowed.

The Amendments

Claims 12 and 13 have been amended. Support for these amendments is present in the specification at, for example, page 20, lines 3-5.

These amendments specify the segment spacing that must be present during the practice of the process of the invention.

The Rejection of Claims 12-17

The Examiner's rejection is premised on the argument that it would be obvious to combine Olsen with Orensteen. Applicants reiterate the arguments that they raised in their last communication to the PTO.

In addition to these arguments, Applicants submit that neither Olsen nor Orensteen discuss, and therefore cannot suggest, that the distance between the individual segments be such that, after being placed on the flexible substrate, they do not contact one another when the substrate is bent around a predetermined radius. To the contrary, neither of these references recognizes that a minimum distance between adjacent segments has any value.

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Additionally, neither of these references recognizes the problem addressed by the present invention. That is, neither reference recognizes that a plurality of discrete segments of retroreflective sheeting cannot simply be adhered to a flexible sided substrate, such as the canvas side of a truck, to improve the nighttime visibility of the truck. Neither recognizes that to successfully apply a plurality of discrete segments of retroreflective sheeting it is necessary to space the adjacent segments apart a distance sufficient to prevent the segments from touching when the substrate is bent a predetermined amount.

Since neither of the references recognizes problem solved by the present invention, neither can provide a solution to that problem. Accordingly, it is submitted that these references fail to support a prima facie case under 35 USC § 103(a) and the rejection of claims 12-17 should be withdrawn.

In view of the above, it is submitted that all of the claims of this application are in condition for allowance. Reconsideration of the rejection and allowance of all claims is requested.

Respectfully submitted,

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Date

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